

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LISA HEDGLIN,

Plaintiff,

vs.

COTTONWOOD HEALTHCARE,  
LLC., A Nebraska Limited Liability  
Company, et al.,

Defendants.

8:18-CV-239

ORDER

IT IS ORDERED:

1. The Joint Stipulation of Dismissal Without Prejudice Concerning Defendant Sidney Care & Rehabilitation, L.L.C. ([filing 42](#)) is approved.
2. Sidney Care & Rehabilitation is dismissed as a party.<sup>1</sup>
3. Pursuant to the plaintiff's Dismissal of Remaining Defendant Cottonwood Healthcare, L.L.C. Without

---


<sup>1</sup> The Court is not precluded from dismissing Sidney Care & Rehabilitation by its receivership, because its dismissal from this action does not "interfere with the functioning of the health care facility" within the meaning of [Neb. Rev. Stat. § 71-2086\(3\)](#). Cf. [Dennis v. A.H. Robins Co., Inc.](#), 860 F.2d 871, 872 (8th Cir. 1988); cf. also [O'Donnell v. Vencor Inc.](#), 466 F.3d 1104, 1110-11 (9th Cir. 2006).

Prejudice Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) ([filing 43](#)),  
Cottonwood Healthcare is dismissed as a party.

4. This case is closed.
5. A separate judgment will be entered.

Dated this 12th day of February, 2019.

BY THE COURT:

  
\_\_\_\_\_  
John M. Gerrard  
Chief United States District Judge